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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

FILIPCZYK, MARCIN R

ART UNIT PAPER NUMBER

2171

DATE MAILED: 11/13/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/961,423

Applicant(s)

SOHMA ET AL.

Examiner

Marc R Filipczyk

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

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DETAILED ACTION

This action is responsive to application filed on September 25, 2001 in which claims 1-20 are presented for examination.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1, 9-11, 15-17, 19 and 20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The specification does not clearly describe how to individually append meta data.

Regarding claims 2-8, 12-14, and 18, they depend from 1, 11 and 17 respectively, and therefore contain the deficiencies of those claims.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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Regarding claims 1, 9-11, 15 and 16, the preamble and claim body are indefinite. The segment, "individually appending meta data for a data search to data to be managed" is indefinite. How is meta data individually appended? Second, the phrase, "the data" is indefinite. What is the data?

Regarding claims 17, 19 and 20, the preamble is indefinite. The segment, "individually appending meta data for a data search to data to be managed" is indefinite. How is the meta data individually appended?

Regarding claims 2-8, 12-14, and 18, they depend from 1, 11 and 17 respectively, and therefore contain the deficiencies of those claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 9-12 and 15-20 are rejected under 35 U.S.C. 102(e) as best as the Examiner is able to ascertain as being anticipated by Cazemier et al (U.S. Patent No. 6,609,123).

Regarding claims 1, 9 and 10, Cazemier discloses a system managing data by appending meta data for a data search to data to be managed comprising: (abstract, lines 1 and 2)

accepting selection of data to which the metadata is to be appended; (fig. 2A, item 100)

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providing predetermined candidates of metadata; (fig. 2A, item 101)

accepting selection of metadata to be appended to the selected data from the provided candidates of metadata; (fig. 2A, item 102) and

saving the selected data and the selected metadata in association with each other. (fig. 2A, items 15)

(Note: metadata inherently describes other data)

Regarding claim 2, Cazemier discloses accepting input of a search condition used to search for the data; (fig. 3, item 30 and fig. 8, item 124))

searching for the data associated with the search condition on the basis of the input search condition and the metadata. (fig. 3, items 15 and 30)

Regarding claim 3, Cazemier discloses partially providing contents of the data found by search. (fig. 3, items 30 and 40)

Regarding claims 11, 12, 15 and 16, Cazemier discloses a system managing data by appending meta data for a data search to data to be managed comprising: (abstract, lines 1 and 2)

accepting selection of data to which the metadata is to be appended; (fig. 2A, item 100)

providing predetermined candidates of metadata; (fig. 2A, item 101)

accepting selection of metadata to be appended to the selected data from the provided candidates of metadata; (fig. 2A, item 102)

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saving the selected data and the selected metadata in association with each other; (fig. 2A, items 15)

(Note: metadata inherently describes other data)

accepting input of a search condition used to search for the data; (fig. 3, item 30 and fig. 8, item 124))

searching for the data associated with the search condition on the basis of the input search condition and the metadata; (fig. 3, items 15 and 30) and

partially providing contents of the data found by search. (fig. 3, item 40)

Regarding claims 17, 19 and 20, Cazemier discloses a system managing data by appending meta data for a data search to data to be managed comprising: (abstract, lines 1 and 2)

providing predetermined candidates of metadata; (fig. 2A, item 101)

accepting selection of metadata from the provided candidates of metadata; (fig. 2A, item 102)

inputting data to which the selected metadata is appended; (fig. 3, item 30)

saving the selected data and the selected metadata in association with each other. (fig. 2A, items 15)

(Note: metadata inherently describes other data)

Regarding claim 18, Cazamier discloses accepting input of a search condition used to search for the data; (fig. 3, item 30 and fig. 8, item 124))

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searching for the data associated with the search condition on the basis of the input search condition and the metadata; (fig. 3, items 15 and 30) and partially providing contents of the data found by search (fig. 3, 40).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-8, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cazemier et al (U.S. Patent No. 6,609,123) in view of Rowe et al (U.S. Patent No. 6,466,941).

Regarding claims 4-8, 13 and 14, Cazemier discloses all of the claimed subject matter as discussed above in claims 1 and 11, but does not teach moving image data (claims 4, 7, 13), event types (claims 5 and 6) or audio data (claims 8 and 14). However, Examiner asserts that the features of moving data, event types and audio data are common to the ordinary skilled in the art where the application of the invention is in the field of weddings. Taking Cazamier system and implementing it in such an application such as a wedding, multidata would consist of moving objects and data recorded would be associated with an event type, and data would consist of audio and images. To further demonstrate the point, Examiner introduces Rowe system wherein moving image data (fig. 8A, items 305 and 306), event types (fig. 8A, items 308), associations of moving image data and event types (fig. 8A,

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item 309) and displaying partial data (fig. 8A, items 311 and 406) are all taught by Rowe. Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to implement Cazemier system in view of Rowe system such as in a wedding application to obtain metadata associated with event type consisting of images and audio data. One would have been motivated to use Cazemier in a wedding system or that similar to Rowe system because Cazemier teaches a querying system with associating metadata based on conditions, thus would be ideal in a wedding like environment.

Conclusion

To expedite the process of examination Examiner requests that all future correspondences in regard to overcoming prior art rejections or other issues (e.g. 35 U.S.C. 112, objections and the like) set forth by the Examiner that Applicants provide and link to the most specific page and line numbers of the disclosure where the best support is found (see 35 U.S.C. 132).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc R Filipczyk whose telephone number is 703-305-7156.

The examiner can normally be reached on Mon-Fri, 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

MF
November 6, 2003



SAFET METJAHIC
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